

IPW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Mark H. Crane, Michael J. Presz and Lawrence M. Cuprys

Application No.: 10/647,059 Group: 2629

Filed: August 22, 2003 Examiner: Jeffrey J. Piziali

Confirmation No.: 9713

For: HEADGEAR SYSTEM WITH DISPLAY

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or is being facsimile transmitted to the United States Patent and Trademark Office on:

10-15-07 Date

Brenda Trigilio Signature

Brenda Trigilio

Typed or printed name of person signing certificate

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Transmitted herewith is a Reply to Notice of Non-Compliant Amendment for filing in the above-identified application.

- Small entity status of this application under 37 CFR 1.9 and 1.27 has been established by a Small Entity Statement previously submitted.
- A Small Entity Statement to establish small entity status under 37 CFR 1.9 and 1.27 is enclosed.

**The claims fee has been calculated as shown below:**

\* not fewer than 20

\*\* not fewer than 3

TOTAL = \$ 0

TOTAL = \$ 0

**The Application Size Fee has been calculated as shown below:**

*(Effective for cases filed on or after December 8, 2004)*

Actual Sheets (Including current amendment)	Highest No. of Sheets Paid For (At least 100)	No. of Additional Units Required (Increments of 50 sheets)	SMALL ENTITY	OTHER THAN SMALL ENTITY	Payment Sufficient for up to
			X \$130      \$[ ]	X \$260      \$[ ]	[ ] Sheets

## Petition for Extension of Time

Applicant hereby petitions to extend the time to respond to the [ ] dated [ ] for [ ] month(s) from [ ] to [ ]. The appropriate fee is set forth below.

*[For action-specific language in an extension of time, select the appropriate option from the Firm Templates]*

**Please charge Deposit Account No. 08-0380 for the following fees:**

<input type="checkbox"/>	Petition for [   ] month Extension of Time	\$ _____
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TOTAL:		\$ 0 _____

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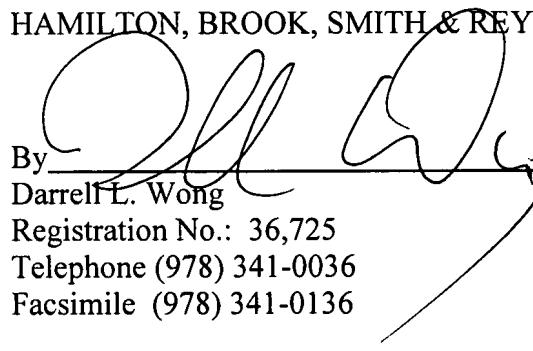
<input type="checkbox"/>	Petition for [   ] month Extension of Time	\$ _____
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<input type="checkbox"/>	Application Size Fee	\$ _____
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Please charge any deficiency or credit any overpayment in the fees that may be due in this matter to Deposit Account No. 08-0380. A copy of this letter is enclosed for accounting purposes.

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

By \_\_\_\_\_  
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Concord, Massachusetts 01742-9133

Dated: 10/15/2007



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\_\_\_\_\_  
Date Signature

*Brenda Trigilio*  
\_\_\_\_\_  
Typed or printed name of person signing certificate

RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This Response is being filed in reply to the Notice of Non-Compliant Amendment mailed from the U.S. Patent and Trademark Office on September 24, 2007 in the above-identified application. This Response is substantially the same as the Amendment filed on March 28, 2007 in reply to the February 6, 2007 Office Action, differing in that Claims 6 and 19 are amended as requested by the Examiner. In my telephone conversation with the Examiner on October 2, 2007, it appears that when the Amendment filed on October 24, 2006 was scanned, the period at the end of Claim 6 did not show up on the Examiner's scanned copy of the Amendment, and the semicolon on line 2 of Claim 19 appeared as a comma. Although the period at the end of Claim 6 and the semicolon on line 2 of Claim 19 were in those claims as originally filed, the Examiner has requested that such punctuation be reintroduced by amendment since the scanned copy of the October 24, 2006 Amendment has already been acted upon and is of record.

Please amend the application as follows: